



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/761,736	12/05/96	GOADE	R 6928.004

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EXAMINER

HAN, F

ART UNIT	PAPER NUMBER
3722	#5

DATE MAILED: 08/26/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/761,736

Applicant(s)

GOADE, ST

Examiner

Frances Han

Group Art Unit

3722



☒ Responsive to communication(s) filed on Jul 20, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) 13 and 14 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3722

Election/Restriction

1. Claims 13-14 are withdrawn from further consideration by the Examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention. Election was made **without** traverse in Paper No. 4.

2. Applicant's election without traverse of Group I in Paper No. 4 is acknowledged.

Parent Application

3. Applicant should note the disposition of the parent application.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by McIntire et al 5,281,799.

McIntire et al discloses the claimed card display package including a card carrier 11 of a sheet of material, a card 16 connected to and selectively detachable from the card carrier, the card having an encodable magnetic strip 38 extending transversely across the portion of the card. Note that the card may be

Art Unit: 3722

sent through an encoding device without being removed from the card carrier.

See column 8, lines 5-61.

Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-6 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntire et al, as used above.

McIntire et al discloses the claimed card display package including a card carrier which is a sheet of transparent material except for the sheet of material to be a synthetic paper or the sheet to be laminated on both sides with a plastic material or having an aperture for suspending the card carrier from peg. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the sheet of material of McIntire to include a synthetic paper or the sheet to be laminated on both sides with a plastic material or having an aperture for suspending the card carrier from peg since Applicant has not disclosed that a synthetic paper or the sheet to be laminated on both sides with a plastic material or having an aperture for suspending the card carrier from peg solves any stated

Art Unit: 3722

problem and the invention would perform equally as well as the card display package of McIntire et al.

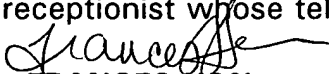
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

9. In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAXING of responses to Office Actions directly into the Group at (703)305-3579. Transmissions can be received from the Applicant at all times. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. The faxing of such documents must conform with the notice published in the Official Gazette, 1096 OG 30 (October 19, 1988). Please identify the Examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 3720 will be promptly forwarded to the Examiner. Applicant is reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Frances Han whose telephone number is (703) 308-0183.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1148.


FRANCES HAN
PRIMARY EXAMINER
ART UNIT 3722

FCH
August 22, 1998